

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
CORPUS CHRISTI DIVISION

CALVIN JACKSON,

Petitioner,

VS.

WILLIAM STEPHENS,

Respondent.

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CIVIL ACTION NO. 2:14-CV-414

**OPINION AND ORDER OF TRANSFER**

This is a habeas action filed by a state prisoner incarcerated at TDCJ-CID's McConnell Unit in Beeville, Texas (D.E. 1). On June 23, 2011, Petitioner was convicted by a jury of murder in the 187<sup>th</sup> Judicial District Court of Bexar County, Texas, and sentenced to serve sixty years in the custody of TDCJ-CID (*Id.*).

A habeas action may be filed either in the district where petitioner is in custody or in the district in which petitioner was convicted. 28 U.S.C. § 2241(d); Wadsworth v. Johnson, 235 F.3d 959 (5th Cir. 2000). Petitioner's place of incarceration is in Bee County in the Southern District of Texas, 28 U.S.C. § 124(b)(6), and he was convicted by a court located in the San Antonio Division of the Western District of Texas. 28 U.S.C. § 124(d)(4).

For the convenience of parties and witnesses, in the interest of justice, a district court may transfer any civil action to any other district or division where it might have been brought. 28 U.S.C. §§ 1404(a) and 1406(a). A habeas application may be transferred in furtherance of justice to the district court within which the State court was

held which convicted and sentenced the petitioner. 28 U.S.C. § 2241(d). Because petitioner was convicted in Bexar County, it is more convenient and would further the interests of justice for this action to be handled in the San Antonio Division of the Western District of Texas. The records of his conviction, the prosecutor and defense lawyer, and the witnesses are all located in the San Antonio Division of the Western District of Texas.

Accordingly, it is ordered that the Clerk of the Court TRANSFER this action to the United States District Court for the Western District of Texas, San Antonio Division. All pending motions are denied without prejudice, and subject to re-urging after the case is transferred.

SIGNED and ENTERED on 10/15/14.

  
NELVA GONZALES RAMOS  
UNITED STATES DISTRICT JUDGE